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**Rules, Regulations, Orders**

**TITLE 6—AGRICULTURAL CREDIT  
FARM CREDIT ADMINISTRATION**

[FCA 142]

**AUTHORITY, AND DESIGNATION OF ORDER OF PRECEDENCE, OF DEPUTY GOVERNORS, GENERAL COUNSEL, ASSISTANT TO THE GOVERNOR, EXECUTIVE OFFICER, AND PRODUCTION CREDIT COMMISSIONER TO ACT AS GOVERNOR IN THE ABSENCE OF THE LATTER**

Sec. 3.1 of Title 6, Code of Federal Regulations,<sup>1</sup> is amended to read as follows:

§ 3.1 *Authority, and designation of order of precedence, of Deputy Governors, General Counsel, Assistant to the Governor, Executive Officer, and Production Credit Commissioner to act as Governor in the absence of the latter.* Gerald E. Lyons, Deputy Governor, is hereby authorized to execute and perform all functions, powers, authority, and duties pertaining to the office of Governor of the Farm Credit Administration, in the event that the Governor is unavailable to act, by reason of absence from the Washington office of the Farm Credit Administration, or for any other cause.

"E. A. Stokdyk, Deputy Governor, is hereby authorized to execute and perform all functions, powers, authority, and duties pertaining to the office of Governor of the Farm Credit Administration, in the event that the Governor and Deputy Governor Lyons are both unavailable to act, by reason of absence from the Washington office of the Farm Credit Administration, or for any other cause.

"Peyton R. Evans, General Counsel, is hereby authorized to execute and perform all functions, powers, authority, and duties pertaining to the office of Governor of the Farm Credit Administration, in the event that the Governor, Deputy

Governor Lyons, and Deputy Governor Stokdyk are unavailable to act, by reason of absence from the Washington office of the Farm Credit Administration, or for any other cause.

"Arthur T. Esgate, Assistant to the Governor, is hereby authorized to execute and perform all functions, powers, authority, and duties pertaining to the office of Governor of the Farm Credit Administration, in the event that the Governor, Deputy Governor Lyons, Deputy Governor Stokdyk, and Peyton R. Evans, General Counsel, are unavailable to act, by reason of absence from the Washington office of the Farm Credit Administration, or for any other cause.

"W. H. Droste, Executive Officer, is hereby authorized to execute and perform all functions, powers, authority, and duties pertaining to the office of the Governor of the Farm Credit Administration, in the event that the Governor, Deputy Governor Lyons, Deputy Governor Stokdyk, Peyton R. Evans, General Counsel, and Arthur T. Esgate, Assistant to the Governor, are unavailable to act, by reason of absence from the Washington office of the Farm Credit Administration, or for any other cause.

"S. M. Garwood, Production Credit Commissioner, is hereby authorized to execute and perform all functions, powers, authority, and duties pertaining to the office of Governor of the Farm Credit Administration, in the event that the Governor, Deputy Governor Lyons, Deputy Governor Stokdyk, Peyton R. Evans, General Counsel, Arthur T. Esgate, Assistant to the Governor, and W. H. Droste, Executive Officer, are unavailable to act, by reason of absence from the Washington office of the Farm Credit Administration or for any other cause. (E. O. 6084, March 27, 1933, 6 CFR 1.1.(12)) [F.C.A. Order No. 265, August 10, 1939]"

[SEAL]

F. F. HILL,  
Governor.

[F. R. Doc. 39-2961; Filed, August 11, 1939; 12:04 p.m.]

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<sup>1</sup> 4 F.R. 482 DI.





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#### TITLE 26—INTERNAL REVENUE

##### BUREAU OF INTERNAL REVENUE

[T. D. 4919]

##### EXPORTATION, FREE OF TAX, OF FERMENTED MALT LIQUORS TO GUAM AND AMERICAN SAMOA

To District Supervisors and Others Concerned:

Section 408 of the Revenue Act of 1939 (Public No. 155—76th Congress) provides as follows:

Section 3361 (b) of the Internal Revenue Code is amended by adding a comma and the words "Guam, and American Samoa" after the words "Puerto Rico."

Pursuant to authority conferred by Section 3791 (a) (1), Internal Revenue Code, Paragraph 30 of Article XXVII, Regulations 18, approved October 25, 1934, is hereby amended to read as follows:

PAR. 30. Fermented malt liquors may be removed from the place of manufacture or storage for export to a foreign country without the payment of tax. Shipments to the Panama Canal Zone have the same status as exportations to

foreign countries. The law provides for shipment of fermented malt liquor without the payment of tax to the Philippine Islands, Puerto Rico, Guam, American Samoa, and the Virgin Islands. The provisions of these regulations, and the forms prescribed, in respect to the removal of fermented malt liquor, free of tax, for exportation to foreign countries, apply to like removals and shipments to the Philippine Islands, Puerto Rico, Guam, American Samoa, the Virgin Islands, and the Panama Canal Zone. Hawaii and Alaska are territories of the United States, and all shipments thereto must be tax-paid before withdrawal from the brewery premises.

[SEAL] HAROLD N. GRAVES,  
Acting Commissioner of  
Internal Revenue.

Approved, August 9, 1939.

JOHN W. HANES,  
Acting Secretary of the Treasury.

[F. R. Doc. 39-2960; Filed, August 11, 1939;  
11:13 a. m.]

#### TITLE 29—LABOR

##### WAGE AND HOUR DIVISION

##### PART 524—REGULATIONS APPLICABLE TO EMPLOYMENT OF HANDICAPPED PERSONS PURSUANT TO SECTION 14 OF THE FAIR LABOR STANDARDS ACT

The following amendment to Regulations—Part 524—(Regulations applicable to employment of handicapped persons pursuant to Section 14 of the Fair Labor Standards Act) is hereby issued. This amendment amends Section 524.6 as amended,<sup>1</sup> by extending until September 1, 1940 the termination date of all Special Certificates for Handicapped Workers except those which by their terms expire prior to September 1, 1939. Said amendment shall become effective upon my signing the original and upon publication thereof in the FEDERAL REGISTER, and shall be in force and effect until repealed by regulations hereafter made and published.

Signed at Washington, D. C., this 7th day of August 1939.

PAUL SIFTON,  
Acting Administrator.

§ 524.6 Termination of certificates. Notwithstanding the terms of any Special Certificates previously issued for the employment of handicapped persons, all such Special Certificates, except those which by their terms expire prior to September 1, 1939, shall remain in full force and effect until September 1, 1940, unless otherwise provided for by regulations hereafter issued. Any Special Certificate may, however, be revoked by the Administrator or by his authorized representative for cause.\*

[F. R. Doc. 39-2952; Filed, August 11, 1939;  
10:38 a. m.]

<sup>1</sup> 4 F. R. 1663 DI.

\* Issued under the authority contained in Section 14, 52 Stat. 1060.

#### TITLE 49—TRANSPORTATION AND RAILROADS

##### INTERSTATE COMMERCE COMMISSION

[Ex Parte No. MC-6]

##### PHILADELPHIA, PA., COMMERCIAL ZONE

At a session of the Interstate Commerce Commission, Division 5, held at its office in Washington, D. C., on the 21st day of July A. D. 1939.

Investigation of the matters and things involved in this proceeding having been made, and said division, on the date hereof, having made and filed a report herein containing its findings of fact and conclusions thereon, which report is hereby referred to and made a part hereof.<sup>1</sup>

It is ordered, That for the purpose of administration and enforcement of the Motor Carrier Act, 1935, the zone adjacent to and commercially a part of Philadelphia, Pa., and contiguous municipalities, in which transportation by motor vehicle in interstate or foreign commerce, not under a common control, management, or arrangement for a continuous carriage or shipment to or from a point beyond the zone, will be partially exempt from regulation under section 203 (b) (8) of the act, be and it is hereby, defined to include the area, (a) in Pennsylvania included within the corporate limits of Philadelphia, and Bensalem and Lower Southampton townships in Bucks County; Conshohocken and West Conshohocken, Pa., and Lower Moreland, Abington, Cheltenham, Springfield, Whitemarsh and Lower Merion townships in Montgomery County; and Haverford township in Delaware County and in Delaware County, south and east of a line extending southward from the intersection of the western and northern boundaries of Upper Darby township along Darby Creek to Bishop Avenue, thence south along Bishop Avenue to U. S. Highway 1, thence west along U. S. Highway 1 to Pennsylvania Highway 320, thence south along Pennsylvania Highway 320 to the corporate limits of Chester, Pa., thence along the northern corporate limit of Chester, Pa., in a westerly direction to the eastern boundary of Upper Chichester township, thence south to the southern boundary of said township, along the eastern boundary thereof, and thence west along the southern boundary of said township to the Delaware State line and thence south along the Delaware State line to the Delaware River, and (b) in New Jersey included in the corporate limits of Camden, Gloucester City, Woodlynne, Merchantville, and Palmyra boroughs, and the area included in Pennsauken township in Camden County.

<sup>1</sup> Filed as a part of the original document with the Division of the Federal Register, The National Archives; requests for copies should be addressed to the Interstate Commerce Commission.



It is further ordered, That this order shall become effective 30 days from the date hereof and shall continue in effect until further order of the Commission.

By the Commission, division 5.  
[SEAL] W. P. BARTEL,  
Secretary.

[F. R. Doc. 39-2962; Filed, August 11, 1939;  
12:14 p. m.]

#### TITLE 50—WILDLIFE

#### BUREAU OF FISHERIES

##### SUBCHAPTER A—ALASKA FISHERIES

##### PART 211—PRINCE WILLIAM SOUND AREA FISHERIES

Section 211.11 is hereby amended so as to extend the season for commercial salmon fishing in the Prince William Sound area, as follows:

§ 211.11 *Closing dates of commercial salmon fishing season.* Commercial fishing for salmon is prohibited during the remainder of each calendar year after 6 o'clock postmeridian August 8: *Provided*, That this prohibition shall not apply (a) to trolling and gill netting through August 22 in the waters along the western coast from the outer point on the north shore of Granite Bay (known as Granite Bay Point) to the light on the south shore of the entrance to Port Nellie Juan, (b) to trolling in the period from 6 o'clock postmeridian August 8 to 6 o'clock postmeridian September 20 in the waters of Prince William Sound east of 147 degrees west longitude, exclusive of all waters of Valdez Arm north of Point Freemantle, and (c) to the operation of set or anchored gill nets in the period from 6 o'clock postmeridian August 8 to 6 o'clock postmeridian September 20 in the waters of Valdez Arm east of 146 degrees 25 minutes west longitude. All trap leads from shore to entrance of hearts must be removed prior to 6 o'clock antemeridian August 12. (Sec. 1, 44 Stat. 732; 48 U.S.C. 221).

OSCAR L. CHAPMAN,  
Acting Secretary of the Interior.  
August 5, 1939.

[F. R. Doc. 39-2950; Filed, August 11, 1939;  
9:31 a. m.]

#### Notices

#### CIVIL AERONAUTICS AUTHORITY.

[Docket No. 270]

IN THE MATTER OF THE APPLICATION OF UNITED AIR LINES TRANSPORT CORPORATION UNDER SECTION 408 (b) OF THE CIVIL AERONAUTICS ACT OF 1938 FOR APPROVAL OF A PROPOSED ACQUISITION OF CONTROL OF, AND OF MERGER WITH OR PURCHASE OF ALL OF THE ASSETS OF, WESTERN AIR EXPRESS CORPORATION

#### NOTICE OF HEARING

The above-entitled proceeding is assigned for public hearing on December 4,

1939, 10 o'clock a. m. (Eastern Standard Time), at the offices of the Civil Aeronautics Authority, Washington, D. C.  
Dated Washington, D. C., August 10, 1939.

By the Authority.  
[SEAL] ROBERT R. REINING,  
Acting Secretary.

[F. R. Doc. 39-2953; Filed, August 11, 1939;  
10:57 a. m.]

#### FEDERAL POWER COMMISSION.

[Docket No. IT-5519]

IN THE MATTER OF BONNEVILLE PROJECT,  
COLUMBIA RIVER, OREGON-WASHINGTON

#### NOTICE OF APPLICATION

AUGUST 10, 1939.

Notice is hereby given that on August 3, 1939, an application was filed with the Federal Power Commission, pursuant to Section 6 of the Act of Congress to authorize the completion, maintenance, and operation of the Bonneville Project, Public—No. 329—75th Congress, approved August 20, 1937, (50 Stat. 731), by the Acting Administrator of the Bonneville Project, (1) for the withdrawal of proposed schedules of rates and charges for electric energy produced at the Bonneville Project, which schedules were filed with the Commission on July 22, 1939, for confirmation and approval, (2) for the withdrawal of certain proposed modifications of the existing filed General Terms and Conditions, which proposed modifications were filed with the Commission on July 22, 1939, for confirmation and approval, (3) for the confirmation and approval of revised schedules of rates and charges for electric energy produced at the Bonneville Project, (4) for the confirmation and approval of certain modifications of the existing filed General Terms and Conditions, and (5) for the cancellation of certain of the presently filed and approved schedules designated as Rate Schedules A-1, B-1, C-1, and D-1, which were approved by the Federal Power Commission on June 8, 1938.

The schedules of rates and charges submitted for confirmation and approval are:

*Rate Schedule A-2.* Wholesale Power Rate Schedule for "At Site" Prime Power, which is designed to displace existing Rate Schedule A-1;

*Rate Schedule C-2.* Wholesale Power Rate Schedule for Transmission System Prime Power, which is designed to displace existing Rate Schedule C-1;

*Rate Schedule F-1.* Optional Wholesale Power Rate Schedule for Prime Power;

*Rate Schedule H-1.* Wholesale Energy Rate Schedule for Dump Energy.

[SEAL] J. B. WILLIAMSON,  
Acting Secretary.

[F. R. Doc. 39-2949; Filed, August 11, 1939;  
9:31 a. m.]

#### FEDERAL TRADE COMMISSION.

United States of America—Before Federal Trade Commission

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 10th day of August, A. D. 1939.

Commissioners: Robert E. Freer, Chairman; Garland S. Ferguson, Charles H. March, Ewin L. Davis, William A. Ayres.

[Docket No. 3827]

IN THE MATTER OF HOWARD D. JOHNSON COMPANY, A CORPORATION

ORDER APPOINTING EXAMINER AND FIXING TIME AND PLACE FOR TAKING TESTIMONY

This matter being at issue and ready for the taking of testimony, and pursuant to authority vested in the Federal Trade Commission, under an Act of Congress (38 Stat. 717; 15 U.S.C.A., Section 41).

It is ordered, That Lewis C. Russell, an examiner of this Commission, be and he hereby is designated and appointed to take testimony and receive evidence in this proceeding and to perform all other duties authorized by law;

It is further ordered, That the taking of testimony in this proceeding begin on Wednesday, August 30, 1939, at nine o'clock in the forenoon of that day (Eastern Standard Time) in Court Room No. 5, 12th Floor, Post Office Building, Boston, Massachusetts.

Upon completion of testimony for the Federal Trade Commission, the examiner is directed to proceed immediately to take testimony and evidence on behalf of the respondent. The examiner will then close the case and make his report upon the evidence.

By direction of the Commission.

[SEAL] OTIS B. JOHNSON,  
Secretary.

[F. R. Doc. 39-2951; Filed, August 11, 1939;  
10:31 a. m.]

#### INTERSTATE COMMERCE COMMISSION.

[Order No. MC-C 150]

#### MOTOR FREIGHT CLASSIFICATIONS

At a general session of the Interstate Commerce Commission, held at its office in Washington, D. C., on the 29th day of July, A. D. 1939.

The Commission having under consideration the matter of the freight classifications of common carriers by motor vehicle as defined in the Motor Carrier Act, 1935, containing the descriptions of articles, volume minimum weights, and ratings on such articles, and applicable to the transportation of property in interstate or foreign commerce, by common carriers by motor vehicle subject to that act, and good cause appearing therefor:

It is ordered, That a proceeding of inquiry and investigation be, and it is here-



by, instituted by the Commission on its own motion into and concerning the said descriptions, minima and ratings provided in said classifications, applicable to transportation of property by such carriers in interstate or foreign commerce, with a view to determining whether they, or any of them, are in anywise unjust or unreasonable, unjustly discriminatory, unduly preferential, unduly prejudicial, or otherwise unlawful, and to making such findings and order or orders as may be proper in the premises.

*It is further ordered*, That all common carriers of property by motor vehicle subject to the Motor Carrier Act, 1935, be, and they are hereby, made respondents to this proceeding; that a copy of this order be served upon each of said respondents; and that notice of this proceeding be given to the general public by depositing a copy of this order in the office of the Secretary of the Commission at Washington, D. C.

*And it is further ordered*, That this proceeding be assigned for hearing at such times and places as the Commission may hereafter direct.

By the Commission.

[SEAL]

W. P. BARTEL,  
Secretary.

[F. R. Doc. 39-2963; Filed, August 11, 1939;  
12:14 p. m.]

#### SECURITIES AND EXCHANGE COMMISSION.

##### *United States of America—Before the Securities and Exchange Commission*

At a regular session of the Securities and Exchange Commission, held at its office in the City of Washington, D. C., on the 8th day of August, A. D. 1939.

[File No. 32-164]

#### IN THE MATTER OF PENNSYLVANIA POWER & LIGHT COMPANY, NATIONAL POWER & LIGHT COMPANY AND LEHIGH POWER SECURITIES CORPORATION

##### ORDER PERMITTING DECLARATIONS TO BECOME EFFECTIVE AND APPROVING APPLICATIONS

Pennsylvania Power & Light Company, a Pennsylvania corporation and a direct subsidiary of Lehigh Power Securities Corporation, a registered holding company and a subsidiary of National Power & Light Company, also a registered holding company, having filed an application or declaration, and amendments thereto, pursuant to Section 6 (b) or 7 (whichever is held applicable) of the Public Utility Holding Company Act of 1935 concerning the issuance and sale of \$95,000,000 principal amount First Mortgage Bonds, 3½% Series due 1969, \$23,500,000 principal amount 4½% Debentures due 1974 and \$8,500,000 face amount 2½% Serial Notes due 1940-1949; and this company having filed another application, and amendments thereto, pursuant to Rule U-12C-1, promulgated under the Act, for approval of the acquisition from

Lehigh Power Securities Corporation of \$19,000,000 principal amount of its presently outstanding First Mortgage Gold Bonds, 4½% Series due 1981, at 93% of the principal amount thereof;

Lehigh Power Securities Corporation, a Delaware corporation and a registered holding company having filed an application, and amendments thereto, pursuant to Rule U-12C-1 promulgated under the Act, for the approval of the acquisition and retirement by it pursuant to a plan of liquidation of said corporation of all of its outstanding \$6 preferred stock and common stock; and it having filed applications, and amendments thereto, under Rules U-12D-1 and U-12F-1 promulgated under the Act, for the approval of the sale to Pennsylvania Power & Light Company, its direct subsidiary, of \$19,000,000 principal amount of First Mortgage Gold Bonds, 4½% Series due 1981, of Pennsylvania Power & Light Company at 93% of the principal amount thereof and for the sale of \$10,000,000 principal amount of 6% Gold Debentures, Series A due 1950, of Pennsylvania Power & Light Company at the principal amount thereof;

National Power & Light Company, a New Jersey corporation and a registered holding company having filed applications, and amendments thereto, pursuant to Rules U-12D-1 and U-12F-1 promulgated under the Act, for approval of the surrender by it for cancellation pursuant to the aforementioned plan for the liquidation of Lehigh Power Securities Corporation, of all of the latter company's \$6 preferred stock and common stock now held by National Power & Light Company; and it having filed an application, and amendments thereto, pursuant to Section 10 of the Act, for approval of the acquisition pursuant to the aforementioned plan of liquidation of Lehigh Power Securities Corporation, of securities of various public utilities now held in the portfolio of Lehigh Power Securities Corporation; and it having filed a declaration, and amendments thereto, pursuant to Section 7 regarding the assumption of liability on certain Lancaster County Railway and Light Company bonds, the liability on which having heretofore been assumed by Lehigh;

A public hearing having been held after appropriate notice<sup>1</sup>; no member of the public having appeared or requested an opportunity to be heard; the applicants and declarants having waived a trial examiner's report, the right to have prepared and submitted to them proposed findings of fact or requests for findings of fact, the right to file a brief and the right to oral argument before the Commission; the Commission having examined the record in this matter and having made and filed its findings and opinion herein;

*It is ordered*, That the declaration of Pennsylvania Power & Light Company

<sup>1</sup> 4 F. R. 3436 DI.

pursuant to Section 7 of the Act regarding the issuance and sale of \$95,000,000 principal amount First Mortgage Bonds, 3½% Series due 1969, \$23,500,000 principal amount 4½% Debentures due 1974 and \$8,500,000 face amount 2½% Serial Notes due 1940-1949, be and become effective forthwith; and that its application, as amended, filed pursuant to Rule U-12C-1, for approval of the acquisition from Lehigh Power Securities Corporation of \$19,000,000 principal amount First Mortgage Gold Bonds, 4½% Series due 1981, of Pennsylvania Power & Light Company, at 93% of the principal amount thereof be and it hereby is approved;

*It is ordered*, That the application of Lehigh Power Securities Corporation under Rule U-12C-1 for the approval of the acquisition and retirement by it pursuant to a plan of liquidation of all of its outstanding \$6 preferred stock and common stock shall be and it hereby is approved; and its applications, as amended, filed under Rules U-12D-1 and U-12F-1, for the approval of the sale of \$19,000,000 principal amount First Mortgage Gold Bonds, 4½% Series due 1981, of Pennsylvania Power & Light Company, at 93% of the principal amount thereof and for the sale of \$10,000,000 principal amount of 6% Gold Debentures, Series A due 1950, of Pennsylvania Power & Light Company, at the principal amount thereof and for the transfer of its other assets, including securities, to National Power & Light Company be and they hereby are, approved;

*It is ordered*, That the applications, as amended, of National Power & Light Company filed pursuant to Rules U-12D-1 and U-12F-1 for approval of the surrender by it for cancellation, pursuant to the aforementioned plan for the liquidation of Lehigh Power Securities Corporation, of all of the shares of \$6 preferred stock and common stock of Lehigh Power Securities Corporation owned by National Power & Light Company shall be and they hereby are approved; and its declaration, as amended, pursuant to Section 7, regarding the assumption of liability on certain Lancaster County Railway and Light Company bonds be and become effective forthwith;

*And it is further ordered*, That in connection with the issuance of securities and the other transactions herein approved, the following terms and conditions are severally imposed upon Pennsylvania Power & Light Company, National Power & Light Company and Lehigh Power Securities Corporation insofar as they may be applicable to any of them:

(1) That the various steps involved in the several applications and declarations shall be carried out and effected, respectively in accordance with the terms and conditions of and for the purposes represented by said applications and declarations, as amended;



(2) That within ten days after the issue and sale of the securities and within ten days after the transfer of assets involved in these transactions, the applicants and declarants shall file with this Commission a certificate of notification showing that the issue and sale of said securities and the transfer of said assets have been effected in accordance with the terms and conditions of and for the purposes represented by said applications and declarations, as amended, and in accordance with the terms of this order;

(3) That except as the Commission may by order, or orders, from time to time, permit, so long as any of the First Mortgage Bonds, 3½% Series due 1969 and 4½% Debentures due 1974, are outstanding, Pennsylvania Power & Light Company shall not, nor shall any successor or successors of Pennsylvania, declare or pay any dividends (other than dividends payable solely in shares of stock) or make any other distribution on any shares of its preferred and common stock, nor shall any shares of such stock be purchased, retired, or otherwise acquired, by Pennsylvania (or any successor or successors) unless the amount expended or accrued by Pennsylvania (or any successor or successors) for maintenance and repairs plus provisions for retirements during the period from July 1, 1939, to the date of the proposed payment of such dividend or making of such distribution or acquisition shall equal fifteen per cent of the gross operating revenues of Pennsylvania (or any such successor or successors) during such period, after the deduction therefrom of an amount equal to the cost to Pennsylvania of electric energy or gas purchased and resold, and rentals paid for electric or gas generating, transmission or distributing properties, and water properties, leased by Pennsylvania, and payments by Pennsylvania for the use of similar properties operated and maintained by others during such period; provided, however, that any transfers to the earned surplus of Pennsylvania from the net income since July 1, 1939, over and above all such dividends, distributions and acquisitions may be used as a credit to offset any deficiency in the amount expended or accrued for maintenance and repairs plus provisions for retirements in satisfying the aforementioned fifteen per cent requirement;

(4) That, except as the Commission may by order, or orders, from time to time, permit any surplus of the National Power & Light Company created by the declaration of any dividend by Lehigh Power Securities Corporation after August 1, 1939, as an incident to the liquidation of Lehigh Power Securities Corporation, shall not be used by National for the declaration of dividends on its common stock or preferred stock (except dividends in liquidation) but said surplus shall be available for any other purposes consistent with this Commission's Uni-

form System of Accounts for Public Utility Holding Companies; and

(5) That the Commission reserve jurisdiction as to the accounting entries to be made on the books of National Power & Light Company regarding the manner in which its accounts shall reflect the acquisition of the assets of Lehigh, subject to undischarged liabilities.

By the Commission.

[SEAL]

FRANCIS P. BRASSOR,  
Secretary.

[F. R. Doc. 39-2956; Filed, August 11, 1939;  
11:00 a. m.]

*United States of America—Before the Securities and Exchange Commission*

At a regular session of the Securities and Exchange Commission held at its office in the City of Washington, D. C., on the 9th day of August, A. D. 1939.

[File No. 56-40]

*IN THE MATTER OF INDIANA & MICHIGAN ELECTRIC COMPANY, AMERICAN GAS AND ELECTRIC COMPANY*

*SUPPLEMENTAL ORDER RELEASING JURISDICTION WITH RESPECT TO CERTAIN ATTORNEYS' FEES AND AUTHORIZING PAYMENT THEREOF<sup>1</sup>*

The Commission having, by its Order entered in the above styled proceedings on the 24th day of June, 1939,<sup>2</sup> reserved jurisdiction to determine at a later date, whether the fees to be paid to attorneys retained to represent the Indiana & Michigan Electric Company and the insurance companies and to the First Boston Corporation in connection with the issue and sale of the Indiana & Michigan Electric Company's \$22,500,000 principal amount First Mortgage Bonds, 3½% Series due 1969, are or are not reasonable, and having directed that no part of the fees proposed to be paid to such attorneys or to the First Boston Corporation should be paid pending further order of the Commission;

It is ordered, That jurisdiction is hereby released with respect to an amount equal to 60 per cent of the fees proposed to be paid to the following attorneys retained to represent the Indiana & Michigan Electric Company, and that the said amount may be paid as set forth in and for the purposes represented by the application and described in the testimony in these proceedings:

Seebirt, Oare and Deahl, South Bend, Indiana.

Condo, Van Atta and Batton, Marion, Indiana.

Burns and Hadsell, Niles, Michigan.

Butzel, Eaman, Long, Gust and Bills, Detroit, Michigan.

That in all other respects, the said Order of June 24, 1939 shall continue in full force and effect; and that no amount beyond that herein expressly authorized

<sup>1</sup> Public Utility Holding Company Act of 1935, Section 6 (b); Rule U-12C-1 (b); Rule U-12D-1; Rule U-12F-1.

<sup>2</sup> 4 F.R. 2510 DI.

shall be paid on account of any of the proposed fees as to which jurisdiction was reserved, until further order of this Commission.

By the Commission.

[SEAL]

FRANCIS P. BRASSOR,

Secretary.

[F. R. Doc. 39-2955; Filed, August 11, 1939;  
11:00 a. m.]

*United States of America—Before the Securities and Exchange Commission*

At a regular session of the Securities and Exchange Commission, held at its office in the City of Washington, D. C., on the 10th day of August, A. D. 1939.

[File No. 32-116]

*IN THE MATTER OF THE CONNECTICUT LIGHT & POWER COMPANY*

*ORDER RELATIVE TO FEE*

An order having heretofore issued exempting The Connecticut Light & Power Company's First and Refunding Mortgage Three and One-Quarter Percent Bonds, Series H (due December 1, 1968) in the principal amount of \$15,000,000 from the provisions of Section 6 (a) of the Public Utility Holding Company Act of 1935, upon the condition that the Commission reserve jurisdiction to determine whether the fee proposed to be paid to Putnam & Co. and to Charles W. Scranton & Co. for services in connection with the sale of such securities is reasonable; and

A hearing having been held on a proposed fee of \$75,000 after appropriate notice,<sup>1</sup> briefs having been submitted, and oral argument having been had before the Commission, and the Commission having considered the record and having this day entered its Findings and Opinion;

It is ordered, That no fee in excess of \$40,000 is to be considered reasonable.

By the Commission.

[SEAL]

FRANCIS P. BRASSOR,

Secretary.

[F. R. Doc. 39-2957; Filed, August 11, 1939;  
11:01 a. m.]

*United States of America—Before the Securities and Exchange Commission*

At a regular session of the Securities and Exchange Commission held at its office in the City of Washington, D. C., on the 10th day of August, A. D. 1939.

[File No. 43-240]

*IN THE MATTER OF LONE STAR GAS CORPORATION*

*NOTICE OF AND ORDER FOR HEARING*

A declaration pursuant to section 7 of the Public Utility Holding Company Act of 1935, having been duly filed with this Commission by the above-named party;

It is ordered, That a hearing on such matter be held on August 26, 1939, at 10:00 o'clock in the forenoon of that day, at the Securities and Exchange Building, 1778 Pennsylvania Avenue NW., Washington, D. C. On such day the hearing-

<sup>1</sup> 4 F.R. 1006 DI.



room clerk in room 1102 will advise as to the room where such hearing will be held. At such hearing, if in respect of any declaration, cause shall be shown why such declaration shall become effective.

*It is further ordered*, That Willis E. Monty or any other officer or officers of the Commission designated by it for that purpose shall preside at the hearings in such matter. The officer so designated to preside at any such hearing is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of said Act and to a trial examiner under the Commission's Rules of Practice to continue or postpone said hearing from time to time.

Notice of such hearing is hereby given to such declarant or applicant and to any other person whose participation in such proceeding may be in the public interest or for the protection of investors or consumers. It is requested that any person desiring to be heard or to be admitted as a party to such proceeding shall file a notice to that effect with the Commission on or before August 22, 1939.

The matter concerned herewith is in regard to a proposed reduction, effective August 1, 1939, of the present rate of interest of 2½% per annum to 2% per annum on certain Bank Loan Notes heretofore issued by Lone Star Gas Corporation to The Union Trust Company of Pittsburgh, The Chase National Bank of the City of New York, The Mellon National Bank of Pittsburgh, and The Farmers' Deposit National Bank, Pittsburgh, and now outstanding in the aggregate amount of \$8,750,000.

By the Commission.

[SEAL] FRANCIS P. BRASSOR,  
Secretary.

[F. R. Doc. 39-2959; Filed, August 11, 1939;  
11:01 a. m.]

*United States of America—Before the Securities and Exchange Commission*

At a regular session of the Securities and Exchange Commission, held at its office in the City of Washington, D. C., on the 10th day of August, A. D. 1939.

[File No. 44-30]

IN THE MATTER OF CHARLES TRUE ADAMS, TRUSTEE OF THE ESTATE OF UTILITIES POWER & LIGHT CORPORATION, DEBTOR AND CENTRAL STATES POWER & LIGHT CORPORATION

ORDER DESIGNATING NEW TRIAL EXAMINER

The above named parties having filed a joint application pursuant to Rule

U-12C-1 promulgated under Section 12 (c) of the Public Utility Holding Company Act of 1935; the Commission by order issued on July 17, 1939 having set said matter down for hearing on August 2, 1939 at 10:00 o'clock in the forenoon of that day, in the Securities and Exchange Commission Building, Washington, D. C., and designated Edward C. Johnson as Trial Examiner; a hearing having been held before said Edward C. Johnson on August 2, 1939, and continued to August 9, 1939, at which time the hearing was again continued to August 16, 1939 at 10:00 o'clock in the forenoon of that day; and

It appearing that said Edward C. Johnson will be unable to continue to preside at said hearing;

*It is ordered*, That Robert P. Reeder, an officer of the Commission, be and hereby is designated to preside at said hearing in the place and stead of and with the same powers and duties as Trial Examiner before designated to preside at such hearing.

By the Commission.

[SEAL] FRANCIS P. BRASSOR,  
Secretary.

[F. R. Doc. 39-2958; Filed, August 11, 1939;  
11:01 a. m.]

*United States of America—Before the Securities and Exchange Commission*

At a regular session of the Securities and Exchange Commission held at its office in the City of Washington, D. C., on the 11th day of August, A. D. 1939.

[File No. 32-166]

IN THE MATTER OF METROPOLITAN EDISON COMPANY

NOTICE OF AND ORDER FOR HEARING

An application pursuant to section 6 (b) of the Public Utility Holding Company Act of 1935, having been duly filed with this Commission by the above-named party;

*It is ordered*, That a hearing on such matter be held on August 25, 1939, at 10:00 o'clock in the forenoon of that day, at the Securities and Exchange Building, 1778 Pennsylvania Avenue NW., Washington, D. C. On such day the hearing-room clerk in room 1102 will advise as to the room where such hear-

14 F.R. 3363 DL

ing will be held. At such hearing, if in respect of any declaration, cause shall be shown why such declaration shall become effective.

*It is further ordered*, That William W. Swift or any other officer or officers of the Commission designated by it for that purpose shall preside at the hearings in such matter. The officer so designated to preside at any such hearing is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of said Act and to a trial examiner under the Commission's Rules of Practice to continue or postpone said hearing from time to time.

Notice of such hearing is hereby given to such declarant or applicant and to any other person whose participation in such proceeding may be in the public interest or for the protection of investors or consumers. It is requested that any person desiring to be heard or to be admitted as a party to such proceeding shall file a notice to that effect with the Commission on or before August 20, 1939.

The matter concerned herewith is in regard to the assumption of liability by applicant, a direct subsidiary of NY PA NJ Utilities Company, a registered holding company, on the following bonds:

Sayre Electric Company: First Mortgage Forty-Year 5% Gold Bonds due 4/1/47	\$277,500.00
Northern Pennsylvania Power Company:	
First and Refunding Mortgage Gold Bonds, Series A, 5% due 6/1/56	1,369,900.00
First and Refunding Mortgage Gold Bonds, 5% Series due 1962	2,089,600.00

It is stated that of the total amount of Sayre Electric Company bonds on which applicant proposes to assume liability there are \$19,500 in principal amount pledged under a mortgage of Northern Pennsylvania Power Company and \$253,500 in principal amount held in a sinking fund. Of the bonds of Northern Pennsylvania Power Company, 5% Series due 1962; it is stated that \$588,000 in principal amount are held in the Company's treasury. It is stated that the Public Utility Commission of Pennsylvania by order dated June 19, 1939 authorized the assumption by applicant of liability on said bonds.

By the Commission.

[SEAL] FRANCIS P. BRASSOR,  
Secretary.

[F. R. Doc. 39-2954; Filed, August 11, 1939;  
11:00 a. m.]